

**63B-1-306 Obligations issued by authority -- Limitation of liability on obligations --
Limitation on amount of obligations issued.**

- (1)
- (a) All obligations issued by the authority under this part shall be limited obligations of the authority and may not constitute, nor give rise to, a general obligation or liability of, nor a charge against the general credit or taxing power of, this state or any of its political subdivisions.
 - (b) This limitation shall be plainly stated upon all obligations.
- (2)
- (a) No authority obligations incurred under this section may be issued in an amount exceeding the difference between the total indebtedness of the state and an amount equal to 1-1/2% of the value of the taxable property of the state.
 - (b) Debt issued under authority of the following parts or sections may not be included as part of the total indebtedness of the state of Utah in determining the debt limit established by this Subsection (2):
 - (i) Title 63B, Chapter 6, Part 2, 1997 Highway General Obligation Bond Authorization;
 - (ii) Title 63B, Chapter 6, Part 3, 1997 Highway Bond Anticipation Note Authorization;
 - (iii) Title 63B, Chapter 7, Part 2, 1998 Highway General Obligation Bond Authorization;
 - (iv) Title 63B, Chapter 7, Part 3, 1998 Highway Bond Anticipation Note Authorization;
 - (v) Title 63B, Chapter 8, Part 2, 1999 Highway General Obligation Bond Authorization;
 - (vi) Title 63B, Chapter 8, Part 3, 1999 Highway Bond Anticipation Note Authorization;
 - (vii) Title 63B, Chapter 9, Part 2, 2000 Highway General Obligation Bond;
 - (viii) Title 63B, Chapter 10, Part 1, 2001 Highway General Obligation Bonds;
 - (ix) Title 63B, Chapter 10, Part 2, 2001 Highway General Obligation Bond Anticipation Notes Authorization;
 - (x) Title 63B, Chapter 11, Part 5, 2002 Highway General Obligation Bonds for Salt Lake County;
 - (xi) Title 63B, Chapter 11, Part 6, 2002 Highway General Obligation Bond Anticipation Notes for Salt Lake County;
 - (xii) Section 63B-13-102;
 - (xiii) Section 63B-16-101;
 - (xiv) Section 63B-16-102;
 - (xv) Section 63B-18-401; and
 - (xvi) Section 63B-18-402.
 - (c) Debt issued under authority of Section 63B-7-503 may not be included as part of the total indebtedness of the state in determining the debt limit established by this Subsection (2).
- (3) The obligations shall be authorized by resolution of the authority, following approval of the Legislature, and may:
- (a) be executed and delivered at any time, and from time to time, as the authority may determine;
 - (b) be sold at public or private sale in the manner and at the prices, either at, in excess of, or below their face value and at the times that the authority determines;
 - (c) be in the form and denominations that the authority determines;
 - (d) be of the tenor that the authority determines;
 - (e) be in registered or bearer form either as to principal or interest or both;
 - (f) be payable in those installments and at the times that the authority determines;
 - (g) be payable at the places, either within or without this state, that the authority determines;
 - (h) bear interest at the rate or rates, payable at the place or places, and evidenced in the manner, that the authority determines;
 - (i) be redeemable before maturity, with or without premium;

- (j) contain any other provisions not inconsistent with this part that are considered to be for the best interests of the authority and provided for in the proceedings of the authority under which the bonds are authorized to be issued; and
 - (k) bear facsimile signatures and seals.
- (4) The authority may pay any expenses, premiums, or commissions, that it considers necessary or advantageous in connection with the authorization, sale, and issuance of these obligations, from the proceeds of the sale of the obligations or from the revenues of the projects involved.

Amended by Chapter 241, 2009 General Session

Amended by Chapter 275, 2009 General Session